

ORDINANCE NO. 2009-08

REGULATION OF GOLF CARTS IN THE TOWN OF NEW RICHMOND

WHEREAS, the Town Council of the town of New Richmond, Indiana (hereinafter "Town") finds that there has been an increase in the use of golf carts in the town.

WHEREAS, the Town Council of the Town of New Richmond has the authority to adopt regulations concerning the use of golf carts within the town's corporate limits (per IC 9-21-1-3.3) and that it would be in the best interest of the Town to establish an ordinance governing the use of golf carts within the Town.

NOW THEREFORE BE IT ORDAINED, by the Town Council of the Town of New Richmond, Indiana, as follows:

SECTION 1) DEFINITIONS-

For the purpose of this ordinance, the following definitions shall apply, unless the context clearly indicates or requires a different meaning:

- A) GOLF CART- a three (3) or four (4) wheeled vehicle originally and specifically designed and intended to transport one (1) or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.
- B) DRIVERS LICENSE- a valid license to operate a motor vehicle issued by Indiana or any other state.
- C) FINANCIAL RESPONSIBILITY- Liability insurance coverage on a golf cart in an amount not less than required by Indiana law for motor vehicles operated on public highways in the state of Indiana (IC 9-25-4).
- D) TOWN STREET- shall mean the entire width between the boundary lines of every way publicly maintained, when any part of the way is open to the use of the public for purposes of vehicular travel within the corporate limits of the town of New Richmond. The term includes, but is not limited to, streets, alleys, roads, "county roads", park roads, drives or highways.
- E) OPERATE – to exercise any control over the function or movement of a golf cart.

SECTION 2) UNLAWFUL OPERATION OF A GOLF CART- The operation of a golf cart within the Town is strictly prohibited unless the golf cart is operated and equipped in full compliance with this ordinance.

SECTION 3) OPERATOR- Only persons sixteen (16) years of age or older and holding a valid, state issued driver's license, may operate a golf cart within the Town limits (IC 9-24-1-7 (b)). Operator must have valid driver's license in his or her possession while operating a golf cart within the Town limits

SECTION 4) FINANCIAL RESPONSIBILITY- The operator or owner of a golf cart must show financial responsibility when operating a golf cart within the town. Written proof of financial responsibility must be available on the golf cart or carried by the operator at all times. (IC 9-25-4)

SECTION 5) TIMES OF OPERATION- Golf carts shall not be operated on any town streets between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise, unless the golf cart is equipped with two (2) operating headlights (one on each side of the front on the golf cart) , two (2) operating tail lights with brake lights (one on each side of the rear of the golf cart), and a red or amber flashing lamp visible from a distance of five hundred (500) feet. The red or amber flashing lamp may be used at times other than when lighted lamps are required (IC 9-21-9-4).

SECTION 6) PLACE OF OPERATION- Golf carts may be operated on town streets, and paved or stoned surfaces in the town parks. Golf carts may not be operated on any sidewalks in town, grassy areas in the parks or anywhere not specifically designated for a motor vehicle.

SECTION 7) OCCUPANTS- The number of occupants in a golf cart shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart. The operator and all occupants shall be seated in the golf cart and no parts of the bodies of the operator or any occupants shall extend outside the perimeter of the golf cart while the golf cart is being operated; provided however, the operator shall use proper hand signals when required.

SECTION 8) TRAFFIC RULES- The operator of the golf cart shall comply with all traffic rules and regulations adopted by the State of Indiana and the town of New Richmond, which govern the operation of motor vehicles. This includes any and all restrictions set forth within this ordinance. In the event of a collision, the operator must comply with IC 9-26-6, including but not limited to, cleaning up all foreign materials dropped upon the street from the vehicle.

SECTION 9) SLOW MOVING VEHICLE EMBLIM- All golf carts shall display a triangular slow moving vehicle emblem mounted as near as is practicable to the center of mass and at an approximate height of not less than three (3) and not more than five (5) feet from level ground or pavement surface. The emblem shall be mounted so as to be entirely visible from the rear, day or night (IC 9-21-9-2).

SECTION 10) PENALTY- Effective January 1, 2010- A violation of any provisions of this Ordinance is a violation of the New Richmond Town Code and such violation shall constitute a Class C Infraction. An owner, lessee, operator, or passenger may be cited to appear in a court of competent jurisdiction by issuance of an Indiana Uniform Traffic Ticket. Upon finding by such court that an owner, lessee, operator or passenger of a golf cart has violated any provisions of this Ordinance, such person shall be subject to a fine not less than Twenty Five Dollars (\$25) and not to exceed Five Hundred Dollars (\$500.00) for each offense, along with all Court costs, or any additions that may hereafter be determined by ordinance or statute. A fine assessed for a violation shall be deposited into the general fund of the town(IC 9-21-1-3.3)

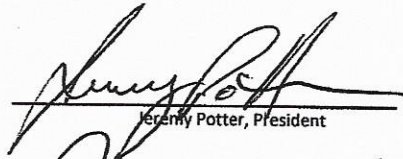
SECTION 11) REQUIREMENT FOR LOCAL REGISTRATION- Any golf cart to be operated within the town limits shall be registered annually through the Town Hall by a town representative Each registrant shall provide the Vehicle Identification Number or serial number, proof of financial responsibility with respect to each golf cart to be registered, show proper use of hand or arm signals, pay a registration

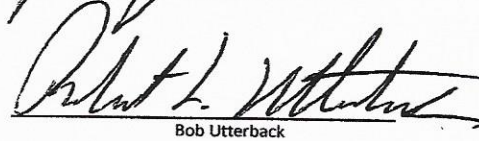
fee of ten dollars (\$10.00) for each golf cart to be registered, and display town registration tag on front of cart. The registration certificate shall be maintained on or about the golf cart at all times that it is in operation. A copy will be on record in the Town Hall.

SECTION 12) EXCEPTIONS- Golf carts operated in connection with any fair, festival or other special event, with written permission from two (2) Town Council Members, shall be exempt from the requirements of this Ordinance when operated within the confines of the activity. The operator of a golf cart must still be a licensed driver, financial responsibility must be in effect with respect to the golf cart and golf cart must have all applicable lighting systems as stated in sections 5 and 9.

This Ordinance shall be in full force and effect from and after its passage and approval.

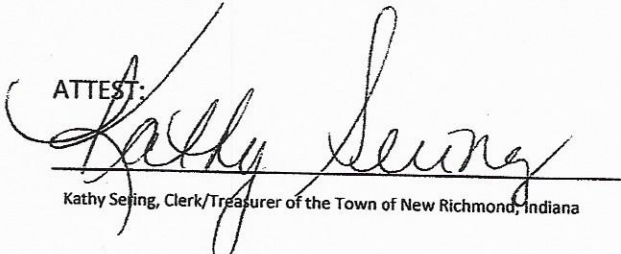
Duly passed by the Town Council of New Richmond, Indiana, this 15 day of September 2009.


Jeremy Potter, President


Bob Utterback


Chris Patterson

ATTEST:


Kathy Seung, Clerk/Treasurer of the Town of New Richmond, Indiana